



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,248	12/19/2001	Masanori Aritomi	35.C16075	7217
5514	7590	08/13/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PITARO, RYAN F	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

## Application No.

10/021,248

## Applicant(s)

ARITOMI, MASANORI

## Examiner

Ryan F Pitaro

## Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/19/2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-26 have been examined.

#### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the element 31a must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,4,8,11,15,18,22,24,25,26 are rejected under 35 U.S.C. 102(b) as being anticipated by Guzak et al. ("Guzak", US# 5,838,319).

As per claim 1 Guzak is directed to an information processing apparatus (Column 3 lines 13-16) comprising:

- A storage device (Column 3 lines 13-16), for storing predetermined objects for predetermined devices based on directory information; (Column 3 lines 43-49 & Figure 2)
- Detection means (Column 3 lines 26-28 *wherein tree view control displays a view of items as per code instructions*) for detecting a specific object detected by said detection means.
- Display means (Column 1 lines 59-61), for displaying, in accordance with a tree list (Column 2 lines 58-61); said specific object detected by said detection means.
- Control means (Column 25-26 lines 26-30), for based on the number of steps along a directory path (Column 6 lines 25-31)

Art Unit: 2174

leading from a local object to a specific object (Figure 7c),  
permitting said display means to display, in accordance with said  
tree list, said specific object detected by said detection means.

As per claims 4, Guzak teaches an information processing apparatus,  
wherein said control means performs the sorting for an object display, so that  
said specific object is displayed at a higher location on a list ( Figure 9 *where the  
tree's objects are sorted by alphabetical order by 1.drive letter then by 2.folder  
name*).

Claims 8,15,24,25 are individually similar in scope to claim 1, and are  
therefore rejected under similar rationale.

Claim 11 and 18 are individually similar in scope to claim 4 and are  
therefore rejected under similar rationale.

As per claim 22, Guzak teaches a computer readable storage medium  
(Figure 1 item 16) for storing the control program.

Claim 26 is similar in scope to claim 22, and is therefore rejected under  
similar rationale.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 9, 16, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guzak et al ("Guzak", US# 5,838,319) as applied to claim 1 above, and further in view of Maarek et al ("Maarek", US# 5,895,474).

As per claim 2, Guzak fail to disclose a control means where it omits an intermediate directory path leading to a specific object. However, Maarek teaches such a method providing an interactive, tree structured, graphical visualization aid wherein a control means for omitting an intermediate path is applied (Column 6 lines 9-15 & Figures 4a-4c). Therefore, it would have been obvious to combine Maarek 's teaching with Guzak's apparatus to ease the visualization effort by reducing the clutter on the screen (Maarek, Column 6 lines 23-24).

Claims 9, 16, 23 are individually similar to scope to claim 2, and are therefore rejected under similar rationale.

Art Unit: 2174

7. Claims 6,13,20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guzak et al ("Guzak", US# 5,838,319) as applied to claim 1 above, and further in view of Cowart ("Cowart", *Mastering Windows 95*).

As per claim 6, Guzak fails to disclose an information processing apparatus; wherein said specific object is an object for a printer device. However, Cowart teaches a tree structure in which a specific object is a printer device (Figure 8.4 page 377). Therefore, it would have been obvious to combine Cowart's teaching and Guzak's apparatus so that objects for printing devices could have been organized in such a manner as any other object found in Guzak for organizational purposes.

Claims 13 and 20 are individually similar to scope to claim 6, and are therefore rejected under similar rationale.

8. Claims 7,14,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guzak et al("Guzak", US# 5,838,319).

As per claim 7 Guzak further fails to disclose an object for a compound device including a printer function. Official Notice is given that the use of a compound device including a printer function is notoriously well known in the art; examples of which are: printer/scanners, printer/fax, printer/copier, and any combination thereof. It would have been obvious to one skilled in the art at the time of the invention to combine the use of a compound device including a printer

Art Unit: 2174

function with Guzak's apparatus so that a multifunctional printer could be a specific object listed in the hierarchical tree for the benefit of functionality.

Claims 14 and 21 are individually similar to scope to claim 7, and are therefore rejected under similar rationale

9. Claims 3,5,10,12,17,19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guzak et al ("Guzak", US# 5,838,319) as applied to claim 1 above, and further in view of Mital et al ( "Mital", US# 6,003,040).

As per claim 3, Guzak fails to disclose an information processing apparatus, wherein, before said specific object detected by said detection means is displayed on said display means in accordance with said tree list, said control means omits a directory path along which said specific object is not present. However, Mital teaches such an apparatus and method for storing and navigating among data items in which the directory path is omitted if said specific object is not present (Column 23 lines 42-47 *a result of the query shows only the relevant results and hides the rest of the hierarchy*). Therefore, it would have been obvious to combine Mital's teaching with Guzak's apparatus so that the display of the knowledge can be achieved without significantly adding to or making more complex the minimized domain of user interface for the benefit of non-complexity.

As per claim 5, Guzak fails to disclose an information processing apparatus, wherein, when said specific object detected by said detection means

Art Unit: 2174

is to be displayed on said display means in accordance with said tree list, and when said specific object can not be referred to directly due to access right limitations, said control means displays a higher object for which there are no access right problems. However, Mital teaches such an apparatus which displays according to access right limitations a higher object, which there are no access right problems (Column 24 lines 9-12 *where users can only see only some of the object instances and links within the system based on access rights*).

Therefore, it would have been obvious to combine Mital's teaching with Guzak's apparatus so that the display of information would not include inaccessible objects; therefore, displaying the relevant objects at a higher position on the tree for the benefit of finding more relevant objects.

Claims 10 and 17 are individually similar in scope to claim 3, and are therefore rejected under similar rationale.

Claims 12 and 19 are individually similar in scope to claim 5, and are therefore rejected under similar rationale.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Mitchell et al (6,628,304) Hierarchy device interface
- Barkley et al (6,202,066) Hierarchy omitting path

Art Unit: 2174

- Banning (6,380,957) Hierarchy of directories/sub directories based on path.
- Aubdin et al "Resource Finding in Store-and-Forward Networks"
  - Searching hierarchical nodes

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 703-605-1205. The examiner can normally be reached on 7:00am - 4:30pm except on every other Friday starting July 16<sup>th</sup> 2004.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan F. Pitaro  
Examiner

Art Unit: 2174

Art Unit 2174

RFP

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100